THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.384 OF 2007

DATED: 04-01-2007

Between:

Zinka Pitchaiah died per L.R. Zinka Lakshmi and others

.. Petitioners

and

Government of Andhra Pradesh represented by its Principal Secretary, Department of Irrigation & Command Area Development and others.

.. Respondents

THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.384 OF 2007

ORDER:

This writ petition is filed seeking a mandamus declaring the action of the respondents in not passing any order on the application filed by the petitioners under Section 28-A of the Land Acquisition Act, 1894 for re-determination of the market value of the lands acquired, as per the Judgment dated 25-02-1997 passed in LAOP No.605 of 1987 and batch on the file of the Subordinate Judge, Rajampet, as arbitrary and illegal.

It appears, the lands of the petitioners were acquired along with the lands of some other persons under the Land Acquisition proceedings. Thereafter, some of the affected persons have filed applications under Section 18 of the Land Acquisition Act, 1894 (for short 'the Act') and got their cases referred to the Civil Court. The Civil Court disposed of the L.A.O.P.No.605 of 1987 and batch on 25-02-1997. Aggrieved by the same, it seems, the Government has filed an appeal before this Court and the same was dismissed. Now the contention of the petitioners is that in view of Section 28-A of the Act, they are also entitled for re-determination of the compensation on par with those who have approached the Sub Court at Rajampet.

In view of the same, without going into the merits of the case, the authorities are directed to dispose of the representation filed by the

petitioners on 07-07-1997 and pass appropriate orders as per law, within a period of four (4) weeks from the date of receipt of a copy of this order and communicate the same to the petitioners.

With the above direction, the writ petition is disposed of at the stage of admission. There shall be no order as to costs.

C.V. RAMULU, J

4th January 2007.

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